

**From:** Sweeney, Stephen  
**To:** Allison Castellan - NOAA Federal  
**Sent:** 12/31/2014 10:41:32 AM  
**Subject:** RE: Responses to comments (Oregon CZARA, failure to submit)

**Ex. 5 - Attorney Client**

**From:** Allison Castellan - NOAA Federal [mailto:[allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov)]  
**Sent:** Wednesday, December 31, 2014 10:37 AM  
**To:** Sweeney, Stephen  
**Cc:** Henning, Alan; Wayne, Don; Wu, Jennifer; Carlin, Jayne; Jeff Dillen; Byrne, Jennifer  
**Subject:** Re: Responses to comments (Oregon CZARA, failure to submit)

The skipped pages cover these topics:

VI. Pesticides and Toxics—General 21  
A. Adequacy of Oregon's Coastal Nonpoint Program to Address Pesticides and Other Toxics. 21  
B. Pesticides—Adequacy of Overall Pesticide Monitoring Efforts. 23  
VII. New Development. 24  
VII. Onsite Sewage Disposal Systems. 26  
A. Adequacy of Oregon's Programs to Meet CZARA Requirements for OSDS. 26  
B. More Needed to Improve OSDS Management. 27  
C. Concerned with Sewage Discharge to Waterways During Rain Events 28

Specific comments regarding forestry pesticides are covered in the forestry section which you reviewed.

On Wed, Dec 31, 2014 at 10:25 AM, Sweeney, Stephen <[Sweeney.Stephen@epa.gov](mailto:Sweeney.Stephen@epa.gov)> wrote:  
It depends.

Can you please remind me whether that part addresses that last condition for aerial application of pesticides associated with forestry, i.e., one of the bases for disapproval? Or whether that part was addressed later in the part I reviewed?

Thanks,

Steve

**From:** Allison Castellan - NOAA Federal [mailto:[allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov)]  
**Sent:** Monday, December 29, 2014 11:14 AM  
**To:** Sweeney, Stephen  
**Cc:** Henning, Alan; Wayne, Don; Wu, Jennifer; Carlin, Jayne; Jeff Dillen; Byrne, Jennifer  
**Subject:** Re: Responses to comments (Oregon CZARA, failure to submit)

Thanks Steve. I'll take a look and start incorporating/addressing. On the "Mega Merge" version, you have a note on pg 19 (General Pesticides) that you stopped reviewing there and skipped to Forestry. It doesn't appear that you made any comments on pgs. 19-26. Do you still need to review those sections or were those sections fine?

Allison

On Tue, Dec 23, 2014 at 2:51 PM, Sweeney, Stephen <[Sweeney.Stephen@epa.gov](mailto:Sweeney.Stephen@epa.gov)> wrote:  
Do Not Release – Withhold under FOIA exemption five

All (but mostly Allison and, I think, Alan),

Attached are two documents. First, a mark up with many of my edits/questions/comments on the draft comment-response document. I put these on top of a "mega merge" of lots of peoples' comments. Allison already has (or should have) the first 30 or so pages (from a last week transmission). The second document is the flagging of comments from the (1) Oregon Forest Industries Council and (2) the State, as it relates to their specific comments attacking the proposal.

The reason I did the second document separately was because, in the summarizing and paraphrasing of comments for the "rolled up" comment-response document, I could not always find where the comment was rolled into a summary, and therefore, was not able to identify the response.

I recognize that the hour is getting late (very late) and I don't know what plans Allison has for zipping up the comment response document. IT MAY BE that a separate (shorter) supplemental comment-response document on ONLY these OFIC and State comments relating to the forestry measures would be easier to prepare than folding in the comments and responses to the bigger document. IT MAY BE ALTERNATIVELY just as easy to highlight/insert the specific comment into the larger document, and to insert the response there as well.

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If, in reviewing the second document, you note that we DID respond to this comment or that comment (or all the comments), then please just know that it was not obvious to me where to look for that response ... so it may be easy to just add a few more words here and there to make it easier to find the responses.

SOME of these may require original drafting. For MANY of the comments I flagged (including the page number), I

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but you all would know better than I how to respond.

If there is something in here that looks like it requires a legal response, then please punt each such comment back.

Thanks and have a nice break,

Steve

Stephen J. Sweeney  
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